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FIFTY-EIGHTH LEGISLATURE

**ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 19, 2006**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Burkett, Marley, and Werk, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Staniela Nikolova, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 18, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Burkett, Marley, and Werk were recorded present at this order of business.

January 19, 2006

The JUDICIARY AND RULES Committee reports that **S 1264, S 1265, S 1266, S 1267, S 1268, S 1269, S 1270, S 1271, S 1272, S 1273, SJM 115, and SJM 116** have been correctly printed.

DARRINGTON, Chairman

S 1264, S 1265, S 1266, and S 1267 were referred to the Transportation Committee.

S 1268, S 1269, S 1270, S 1271, and S 1272 were referred to the Commerce and Human Resources Committee

S 1273, SJM 115, and SJM 116 were referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced the State Affairs Committee report relative to the Gubernatorial appointment of Charles Hedemark was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Little, seconded by Senator Stennett, the Gubernatorial appointment of Charles Hedemark as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1274

BY STENNETT

AN ACT

RELATING TO ENERGY FACILITY SITING; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 17, TITLE 61, IDAHO CODE, TO PROVIDE LEGISLATIVE INTENT AND TO PROVIDE A MORATORIUM ON THE PERMITTING OR CONSTRUCTION OF CERTAIN COAL FIRED POWER PLANTS; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

S 1275

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE PEACE OFFICERS STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5109, IDAHO CODE, TO PROVIDE THAT THE COUNCIL MAY IMPLEMENT TRAINING AND STANDARDS FOR EMPLOYEES OF THE IDAHO DEPARTMENT OF JUVENILE CORRECTIONS WHO ARE ENGAGED IN THE DIRECT CARE AND MANAGEMENT OF JUVENILES.

S 1276

BY STENNETT, MARLEY, MALEPEAL, WERK, KELLY, LANGHORST, BURKETT

AN ACT

RELATING TO THE LOCAL PLANNING ACT; AMENDING SECTION 67-6511, IDAHO CODE, TO PROVIDE THAT, IN THE CASE OF AN ORDINANCE AMENDMENT INVOLVING THE LOCATION OF A THERMAL GENERATION POWER PLANT WITH A NAMEPLATE CAPACITY OF FIFTY MEGAWATTS OR GREATER, THE RESIDENTS OF COUNTIES IMMEDIATELY ADJOINING THE COUNTY WHERE THE THERMAL GENERATION POWER PLANT IS PROPOSED TO BE LOCATED SHALL BE GIVEN NOTICE OF

THE PROPOSED ORDINANCE CHANGE; AMENDING SECTION 67-6512, IDAHO CODE, TO PROVIDE THAT, IN THE CASE OF A SPECIAL USE PERMIT INVOLVING THE LOCATION OF A THERMAL GENERATION POWER PLANT WITH A NAMEPLATE CAPACITY OF FIFTY MEGAWATTS OR GREATER, THE RESIDENTS OF COUNTIES IMMEDIATELY ADJOINING THE COUNTY WHERE THE THERMAL GENERATION POWER PLANT IS PROPOSED TO BE LOCATED SHALL BE GIVEN NOTICE OF THE PROPOSED SPECIAL USE PERMIT; AND DECLARING AN EMERGENCY.

S 1277

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE STATE CONTROLLER FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY.

S 1278

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE GOVERNOR FOR THE COMMISSION ON THE ARTS FOR FISCAL YEAR 2006; AND DECLARING AN EMERGENCY.

S 1279

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO DOMESTIC CERVIDAE; AMENDING SECTION 36-711, IDAHO CODE, TO PROVIDE THAT NO PERSON SHALL IMPORT DOMESTIC CERVIDAE INTO IDAHO FROM OUTSIDE THE STATE AND TO PROVIDE THAT ANY PERSON IN VIOLATION SHALL BE GUILTY OF A MISDEMEANOR AND ANY ANIMALS IMPORTED IN VIOLATION SHALL BE SEIZED BY OFFICERS OF THE DEPARTMENT OF FISH AND GAME OR OTHER LAW ENFORCEMENT OFFICERS; AND DECLARING AN EMERGENCY.

S 1280

BY STENNETT, MARLEY, MALEPEAI, WERK, KELLY, LANGHORST, BURKETT

AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602G, IDAHO CODE, TO PROVIDE THAT THE FIRST ONE HUNDRED THOUSAND DOLLARS OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD OR FIFTY PERCENT OF THE MARKET VALUE FOR ASSESSMENT PURPOSES OF THE HOMESTEAD, WHICHEVER IS THE LESSER, SHALL BE EXEMPT FROM PROPERTY TAXATION, TO DEFINE "HOMESTEAD," TO PROVIDE FOR CERTAIN ANNUAL ADJUSTMENTS TO THE MAXIMUM AMOUNT SUBJECT TO PROPERTY TAX EXEMPTION, TO PROVIDE FOR PUBLICATION AND DISSEMINATION OF ADJUSTMENTS, TO PROVIDE THAT THE PUBLICATION OF ADJUSTMENTS SHALL BE EXEMPT FROM THE PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1274, S 1275, S 1276, S 1277, S 1278, S 1279, and S 1280 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Motion to Suspend Rules

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate passage of **S 1263** be suspended; that the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days be dispensed with, this being a case of urgency, and that **S 1263** be read the second time by title and the third time at length, section by section, and be put upon its final passage. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rules suspended.

S 1263 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 35.

Whereupon the President Pro Tempore declared **S 1263** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12:05 p.m. until the hour of 11:30 a.m., Friday, January 20, 2006.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary

